

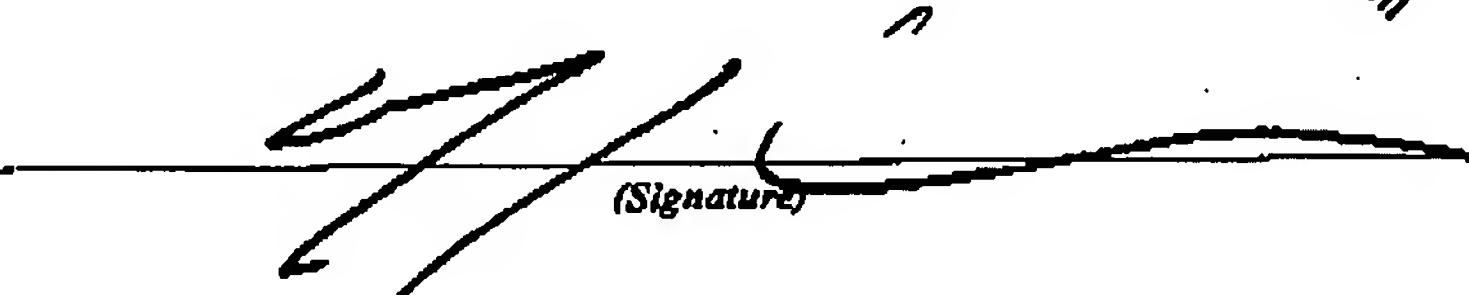
#10

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>		Docket No. 2998
Applicant(s): <b>HOFMANN, A., ET AL</b>		
Application No. <b>10/511,285</b>	Filing Date <b>04/02/2003</b>	Examiner
Invention: <b>SYSTEM COMPRISING A TOOL RETAINER</b>		Group Art Unit <b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>JUL 31 2007</b>

I hereby certify that this RENEWED PETITION, SUPPORTING DOCUMENTS  
(Identify type of correspondence)  
 is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. (571) 273 1300)  
 on 07/31/2007  
(Date)

MICHAEL J. STRIKER

(Typed or Printed Name of Person Signing Certificate)

  
(Signature)

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 International Division

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JUL 31 2007

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**Examiner:**

**Group:**

*Attorney Docket #.: 2998*

In re:

Applicant(s): HOFMANN, A., et al

Serial No.: 10/511,285

Filed: 04/02/2003

**RENEWED PETITIONS UNDER 37 CFR 1.137(B) AND 37 CFR 1.47(A)**

July 31, 2007

**Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231**

Office of PCT Legal Administration  
Attention: Bryan Lin  
Stefan Staicovici

**Reference is made to the Decision on Renewed Petitions dated July 23, 2007.**

2007.

As to the Renewed Petition under 37 CFR 1.47(a), the Examiners have indicated that the correct Petition fee has been paid under 37 CFR 1.17(g) and a statement of the last known address of the legal representative of the deceased inventor has been submitted.

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It has been indicated that applicants have filed a Declaration executed by the other cooperating inventors with an unsigned signature block for the deceased inventor, and setting forth the legal representative's name, address and citizenship.

Additionally, the Examiner has indicated that the Petition adequately demonstrates that a bona fide attempt was made to present a copy of the application papers to Heckmann for signature.

It has been noted that if Petitioner can establish that the letter to Heckmann dated October 17, 2005 was either personally received by Mrs. Heckmann or that she resided at the delivery address at the time the correspondence was delivered, then Mrs. Heckmann's failure to respond to the letter would constitute a constructive refusal to sign.

Applicant has previously submitted a copy of the FedEx shipping label, but this does not demonstrate that the letter was delivered to Mrs. Heckmann.

Applicant now submits herewith a FedEx shipment delivery confirmation dated June 15, 2007 indicating the recipient as Mrs. Markus Heckmann and indicating her correct address. Applicant further submits herewith another FedEx delivery confirmation dated September 7, 2006 [the deceased Inventor was also named in other U.S. applications notably Serial No. 10/564,668 in which Rule 47 status was obtained].

Thus, it will be seen that Mrs. Heckmann resided at the address of record on June 15, 2007 and September 7, 2006.

The address of Mrs. Heckmann as indicated in the above mentioned FedEx delivery receipts is the same address set forth in the executed statement of Mrs. Heckmann dated September 19, 2005.

Thus, it can be reasonably assumed that Mrs. Heckmann resided at the address of record during October 2005 when the FedEx communication was delivered to her.

Thus, it is apparent that there has been a refusal by Mrs. Heckmann to execute the application papers or any other documents which were sent to her.

On this basis it is believed that the requirements of 37 CFR 47 have been met.

Since the requirements of 37 CFR 1.47 have now been met it is believed that the Renewed Petition under 37 CFR 1.137(b) should be accepted because the acceptance of a grantable Petition under 37 CFR 1.47(a) for acceptance of the Declaration without the legal representative's signature has now been met.

Since a grantable Petition under 37 CFR 1.47(a) has now been filed, favorable consideration of the Renewed Petition under 37 CFR 1.137(b) should be granted.

Respectfully submitted,



Michael J. Striker  
Attorney for Applicant  
Reg. No.: 27233  
103 East Neck Road  
Huntington, New York 11743

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07/31/2007 16:07 TEL 1 631 549 0404

STRIKER @ STRIKER

→ US PTO

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From: TrackingUpdates@fedex.com  
Sent: Monday, September 11, 2006 12:33 PM  
To: striker@strikerlaw.com  
Subject: FedEx Shipment 791545553397 Delivered

Our records indicate that the following shipment has been delivered:

Tracking number:	791545553397
Ship (P/U) date:	Sep 7, 2006
Delivery date:	Sep 11, 2006 10:54 AM
Sign for by:	.BURFEIND
Delivered to:	Receptionist/Front Desk
Service type:	FedEx International Priority
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	1.4 LB

Shipper Information  
M JS  
STRIKER STRIKER STENBY  
103 EAST NECK RD  
HUNTINGTON  
NY  
US  
11743

Recipient Information  
MRS. MARKUS HECKMANN  
JOH.-SEB.-BACH-STR. 34  
LEINFELDEN-ECHTERDINGEN  
DE  
70771

Special handling/Services:  
Deliver Weekday

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 11:32 AM CDT on 09/11/2006.

To learn more about FedEx Express, please visit our website at [fedex.com](http://fedex.com).

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at [fedex.com](http://fedex.com).

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and [fedex.com](http://fedex.com)'s terms of use, go to [fedex.com](http://fedex.com).

Thank you for your business.

**MJS**

**From:** TrackingUpdates@fedex.com  
**Sent:** Friday, June 15, 2007 10:57 AM  
**To:** striker@strikerlaw.com  
**Subject:** FedEx Shipment 798695982157 Delivered

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This tracking update has been requested by:

Company Name: Striker Striker & Stenby  
Name: m js  
E-mail: striker@strikerlaw.com

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Our records indicate that the following shipment has been delivered:

Tracking number:	798695982157
Ship (P/U) date:	Jun 13, 2007
Delivery date:	Jun 15, 2007 9:51 AM
Sign for by:	.HECKMANN
Delivered to:	Receptionist/Front Desk
Service type:	FedEx International Priority
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.70 lb.

**Shipper Information**

M JS  
STRIKER STRIKER STENBY  
103 EAST NECK RD  
HUNTINGTON  
NY  
US  
11743

**Recipient Information**

MRS. MARKUS HECKMANN  
JOH.-SEB.-BACH-STR. 34  
LEINFELDEN-ECHTERDINGEN  
DE  
70771

**Special handling/Services:**  
Deliver Weekday

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 9:57 AM CDT on 06/15/2007.

To learn more about FedEx Express, please visit our website at [fedex.com](http://fedex.com).

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at [fedex.com](http://fedex.com).

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and [fedex.com](http://fedex.com)'s terms of use, go to [fedex.com](http://fedex.com).

Thank you for your business.

7/26/2007

PAGE 7/7 RCVD AT 7/31/2007 4:09:32 PM (Eastern Daylight Time) \* SVR:USPTO-EFXRF-6/21 \* DNIS:2738300 \* CSID:1 631 549 0404 \* DURATION (mm:ss):01:20